

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

RYAN DAVID GRAHAM
JAMIE LYNN GRAHAM

CASE NO: 09-70605-HDH-13
HEARING DATE: 8/18/2010
HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2009-03 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
012 0 U	BAYSTATE GAS	\$50.00	013 0 U	COLLECTION COMPANY OF AMERICA	\$183.00
014 0 U	CREDIT MANAGEMENT	\$292.00	015 0 U	EXECUTIVE SERVICES	\$559.00
016 0 U	EXECUTIVE SERVICES	\$559.00	017 0 U	EXECUTIVE SERVICES	\$542.00
018 0 U	EXECUTIVE SERVICES	\$389.00	019 0 U	EXECUTIVE SERVICES	\$127.00
020 0 U	EXECUTIVE SERVICES	\$61.00	021 0 U	UNITED REVENUE CORP	\$446.00
022 0 U	UNITED REVENUE CORP	\$210.00	023 0 U	UNITED REVENUE CORP	\$189.00
024 0 U	UNITED REVENUE CORP	\$189.00	025 0 U	UNITED REVENUE CORP	\$170.00
026 0 U	UNITED REVENUE CORP	\$150.00			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	BAC HOME LOANS SERVICING	HOME ARREARS THRU 12-2009	\$4,369.03	\$69,859.39	6.63%	60	\$123.11 PAID BY TRUSTEE
009 0	BAC HOME LOANS SERVICING	DIRECT PMTS BEGIN 1-2010	\$69,859.39	\$69,859.39			PD DIRECT BY DEBTOR
010 0 *	CITIFINANCIAL RETAIL SERVICES	APPLIANCES -- NO CLAIM FILED.		\$1,690.00	10.00%	60	\$52.39 PAID BY TRUSTEE
No payments will be made unless a proof of claim is filed.							
011 0	WICHITA COUNTY	09 PROPERTY TAXES	\$1,581.75	\$69,859.00			PD DIRECT BY DEBTOR

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
029 0 U *	CITICORP TRUST BANK	\$1,717.47	031 0 U *	SFC CENTRAL BANKRUPTCY	\$384.00
LOAN			PURCHASES/MAVERICK FINANCE		
Not provided for in confirmed plan.			Not provided for in confirmed plan.		

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2009-03 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Debtor shall pay \$183 per month beginning January 2010 for 8 months; then Debtor shall pay \$200 per month beginning September 2010 for the remaining 52 months for a total plan base amount of \$11,864.00.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 8/18/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2009-03 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

BAC HOME LOANS SERVING 7105 CORPORATE DRIVE PTX-B-209 PLANO TX 75024
BAYSTATE GAS PO BOX 67015 HARRISBURG PA 17106
CITICORP TRUST BANK PO BOX 140489 IRVING TX 75014
CITICORP TRUST BANK PO BOX 70923 CHARLOTTE NC 28272
CITIFINANCIAL RETAIL SERVICES PO BOX 140489 IRVING TX 75014
CITY OF WICHITA FALLS, WF ISD AND COUNTY C/O PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307
COLLECTION COMPANY OF AMERICA 700 LONWATER DRIVE NORWELL MA 02061
COUNTRYWIDE HOME LENDING ATT: BANKRUPTCY SV 314B PO BOX 5170 SIMI VALLEY CA 93062
CREDIT MANAGEMENT 4200 INTERNATIONAL PKWY CARROLLTON TX 75007
EXECUTIVE SERVICES 1200 AUSTIN ST WICHITA FALLS TX 76301
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
NATIONAL CAPITAL MANAGEMENT 8245 TOURNAMENT DRIVE STE 230 MEMPHIS TN 38125
RYAN DAVID GRAHAM & JAMIE LYNN GRAHAM 4027 BOREN AVE WICHITA FALLS TX 76309
SFC CENTRAL BANKRUPTCY PO BOX 1893 SPARTANBURG SC 29304
UNITED REVENUE CORP 204 BILLINGS ST STE 120 ATTN OFFICE MANAGER ARLINGTON TX 76010
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WEST & ASSOCIATES 555 REPUBLIC DRIVE STE 101 PLANO TX 75074
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242